

THE COMMONWEALTH OF VIRGINIA

WILLIAMSBURG/JAMES CITY COUNTY GENERAL DISTRICT COURT

ROBIN ROBERTSON,

Plaintiff,

v.

THE CBE GROUP, INC. and VERIZON
WIRELESS SERVICE, LLC,

Defendants.

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CASE NO. GV22000368-00

**DEFENDANT THE CBE GROUP, INC'S
NOTICE OF REMOVAL**

TO THE HONORABLE JUDGE OF SAID COURT:


Please take notice that on March 18, 2022, Defendant THE CBE GROUP, INC. ("CBE") filed its *Notice of Removal* pursuant to 28 U.S.C. § 1441(a) in the United States District Court for the Eastern District of Virginia.

Please take further notice that upon filing the *Notice of Removal* with the Clerk of the United States District Court for the Eastern District of Virginia and filing copies thereof with this Court, Defendant has effected the removal of this case. Therefore, this Court shall proceed no further in this action unless and until this case is remanded pursuant to 28 U.S.S. § 1446(d).

Respectfully submitted,

THE CBE GROUP, INC.

By Counsel



Andrew Biondi, Esq. (VSB No. 48100)
SANDS ANDERSON PC
1111 East Main Street, Suite 2400
P.O. Box 1998
Richmond, VA 23218-1998
Phone: (804) 648-1636
Fax: (804) 783-7291
E-mail: ABiondi@sandsanderson.com
Attorney for Defendant, The CBE Group, Inc.

CERTIFICATE OF SERVICE

I certify that on this 18th day of March 2022, I mailed via U.S. first class mail, postage prepaid, and emailed a copy of the foregoing to:

John D. Konstantinou, Esq.
Williamsburg Law Group, PLC
1315 Jamestown Road, Suite 101
Williamsburg, VA 23185
jdk@wmbglaw.org



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E-mail: ABiondi@sandsanderson.com
Attorney for Defendant, The CBE Group, Inc.

WARRANT IN DEBT (CIVIL CLAIM FOR MONEY)

Commonwealth of Virginia VA CODE § 16.1-79

WILLIAMSBURG/JAMES CITY COUNTY

CITY OR COUNTY

5201 Monticello Avenue, Suite Two, Williamsburg, VA 23188-8284

STREET ADDRESS OF COURT

2022 MAR -4 AM 8:13

TO ANY AUTHORIZED OFFICER: You are hereby commanded to summons the GENERALTO THE DEFENDANT(S): You are summoned to appear before this Court at DISTRICT COURTRETURN DATE AND TIME 4/11/2022 @ 1:30 pm to answer the Plaintiff(s)' civil claim (see below)

DATE ISSUED

[] CLERK

[] DEPUTY CLERK

[] MAGISTRATE

CLAIM: Plaintiff(s) claim that Defendant(s) owe Plaintiff(s) a debt in the sum of

\$ 25,000.00 net of any credits, with interest at 6.00 % from date of Judgment until paid,

\$ 84.00 costs and \$ Reasonable attorney's fees with the basis of this claim being

[] Open Account [] Contract [] Note [] Other (EXPLAIN)

Tort; Contract;

Fair Debt Collection Practices Act

HOMESTEAD EXEMPTION WAIVED? [] YES [] NO [] cannot be demanded

DATE

[] PLAINTIFF [] PLAINTIFF'S ATTORNEY [] PLAINTIFF'S EMPLOYEE/AGENT

CASE DISPOSITION

JUDGMENT against [] named Defendant(s) []

for \$ net of any credits, with interest at % from date

of until paid, \$ costs and \$ attorney's fees

[] and \$ costs for Servicemember Civil Relief Act counsel fees

HOMESTEAD EXEMPTION WAIVED? [] YES [] NO [] CAN NOT BE DEMANDED

[] JUDGMENT FOR [] NAMED DEFENDANT(S) []

[] NON-SUIT [] DISMISSED

Defendant(s) Present: [] NO [] YES

DATE

JUDGE

FORM DC-412 (FRONT) REVISED 10/18

CASE NO.

ROBERTSON, ROBIN

PLAINTIFF(S) (LAST NAME, FIRST NAME, MIDDLE INITIAL)

c/o Williamsburg Law Group, PLC

1315 Jamestown Road, Suite 101, Williamsburg 23185

Tel. (757) 253-1062 Fax (757) 229-4882

V.

VERIZON WIRELESS SERVICE, LLC

RA: CT CORPORATION SYSTEM

4701 Cox Road, Ste 285

Glen Allen, VA, 23060

AND

THE CBE GROUP, INC.

1309 Technology Parkway

Cedar Falls, IA 50613

WARRANT IN DEBT

TO DEFENDANT: You are not required to appear, however, if you fail to appear, judgment may be entered against you. See the additional notice of the reverse about requesting a change of trial location.

[] To dispute this claim, you must appear on the return date to try this case.

[X] To dispute this claim, you must appear on the return date for the judge to set another date for trial.

Bill of Particulars

ORDERED

DUE

Grounds of Defense

ORDERED

DUE

ATTORNEY FOR PLAINTIFF(S)

John D. Konstantinou, Esq. (VSB 36837)

Tel. (757) 253-1062 JDK@wmbglaw.org

ATTORNEY FOR DEFENDANT(S)

HEARING DATE AND TIME

JUDGMENT PAID OR SATISFIED PURSUANT TO ATTACHED NOTICE OF SATISFACTION.

DATE

CLERK

DISABILITY ACCOMMODATIONS
for loss of hearing, vision, mobility, etc., contact the court ahead of time.

RETURNS: Each defendant was served according to law, as indicated below, unless not found.

VERIZON WIRELESS SERVICE, LLC NAME RA: C T CORPORATION SYSTEM ADDRESS 4701 Cox Road, Ste 285 Glen Allen, VA, 23060		Tel. No. <input type="checkbox"/> PERSONAL SERVICE Being unable to make personal service, a copy was delivered in the following manner: <input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above. <input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.) <input type="checkbox"/> Served on Secretary of the Commonwealth <input type="checkbox"/> NOT FOUND
SERVING OFFICER _____ for _____ DATE _____		

OBJECTION TO VENUE:

To the Defendant(s): If you believe that Plaintiff(s) should have filed this suit in a different city or county, you may file a written request to have the case moved for trial to the general district court of that city or county. To do so, you must do the following:

1. Prepare a written request which contains (a) this court's name, (b) the case number and the "return date" as shown on the other side of this form in the right corner, (c) Plaintiff(s)' name(s) and Defendant(s)' name(s), (d) the phrase "I move to object to venue of this case in this court because" and state the reasons for your objection and also state in which city or county the case should be tried, and (e) your signature and mailing address.
2. File the written request in the clerk's office before the trial date (use the mail at your own risk) or give it to the judge when your case is called on the return date. Also send or deliver a copy to plaintiff.
3. If you mail this request to the court, you will be notified of the judge's decision.

THE CBE GROUP, INC. NAME ADDRESS 1309 Technology Parkway Cedar Falls, IA 50613		Tel. No. <input type="checkbox"/> PERSONAL SERVICE Being unable to make personal service, a copy was delivered in the following manner: <input type="checkbox"/> Delivered to family member (not temporary sojourner or guest) age 16 or older at usual place of abode of party named above after giving information of its purport. List name, age of recipient, and relation of recipient to party named above. <input type="checkbox"/> Posted on front door or such other door as appears to be the main entrance of usual place of abode, address listed above. (Other authorized recipient not found.) <input type="checkbox"/> Served on Secretary of the Commonwealth <input type="checkbox"/> NOT FOUND
SERVING OFFICER _____ for _____ DATE _____		I certify that I mailed a copy of this document to the defendants named therein at the address shown therein on _____ DATE _____ <input type="checkbox"/> Plaintiff <input checked="" type="checkbox"/> Plaintiff's Atty. <input type="checkbox"/> Plaintiff's Agent Fil. Fa. issued on Interrogatories issued on: Garnishment issued on

**AFFIDAVIT FOR SERVICE OF PROCESS ON THE
SECRETARY OF THE COMMONWEALTH**

Commonwealth of Virginia

Va. Code §§ 8.01-301, -329; 55-218.1; 57-51

WMBG-JCC

Case No.

District Court

ROBERTSON, ROBIN 2022 MAR 14 AM 8:14 THE CBE GROUP, INC.

1309 Technology Parkway

Cedar Falls, IA 50613

GENERAL
DISTRICT COURT

TO THE PERSON PREPARING THIS AFFIDAVIT: You must comply with the appropriate requirements listed on the back of this form.

Attachments: ☒ Warrant ☐ Motion for Judgment ☐

I, the undersigned Affiant, state under oath that:

☒ the above-named defendant ☐

whose last known address is: ☒ same as above ☐

1. ☒ is a non-resident of the Commonwealth of Virginia or a foreign corporation and Virginia Code § 8.01-328.1(A) applies (see NON-RESIDENCE GROUNDS REQUIREMENT on reverse).
2. ☐ is a person whom the party seeking service, after exercising due diligence, has been unable to locate (see DUE DILIGENCE REQUIREMENT on reverse) and that

is the return date on the attached warrant, motion for judgment or notice (see TIMELY SERVICE REQUIREMENT on reverse).

4-11-2022 @ 1:30pm

DATE

State of VIRGINIA

☐ City ☐ County of

Acknowledged, subscribed and sworn to before me this

4 day of MARCH, 2022

NOTARY REGISTRATION NUMBER

☒ CLERK ☐ MAGISTRATE ☐ NOTARY PUBLIC (My commission expires)

☐ Verification by the clerk of the court of the date of filing of the certificate of compliance requested. A self-addressed stamped envelope was provided to the clerk at the time of filing of this Affidavit.

NOTICE TO THE RECIPIENT from the Office of the Executive Secretary of the Commonwealth of Virginia:

You are being served with this notice and attached pleadings under Section 8.01-329 of the Code of Virginia which designates the Secretary of the Commonwealth as statutory agent for Service of Process. The Secretary of the Commonwealth's ONLY responsibility is to mail, by certified mail, return receipt requested, the enclosed papers to you. If you have any questions concerning these documents, you may wish to seek advice from a lawyer.

SERVICE OF PROCESS IS EFFECTIVE ON THE DATE WHEN SERVICE IS MADE ON THE SECRETARY OF THE COMMONWEALTH.

CERTIFICATE OF COMPLIANCE

1, the undersigned, Clerk in the Office of the Secretary of the Commonwealth, hereby certify the following:

1. On , legal service in the above-styled case was made upon the Secretary of the Commonwealth, as statutory agent for persons to be served in accordance with Section 8.01-329 of the Code of Virginia, as amended.
2. On , papers described in the Affidavit and a copy of this Affidavit were forwarded by certified mail, return receipt requested, to the party designated to be served with process in the Affidavit.

SERVICE OF PROCESS CLERK, DESIGNATED BY THE AUTHORITY OF THE
SECRETARY OF THE COMMONWEALTH

TIMELY SERVICE REQUIREMENT:

Service of process in actions brought on a warrant or motion for judgment pursuant to Virginia Code § 16.1-79 or § 16.1-81 shall be void and of no effect when such service of process is received by the Secretary within ten days of any return day set by the warrant. In such cases, the Secretary shall return the process or notice, the copy of the affidavit, and the prescribed fee to the plaintiff or his agent. A copy of the notice of the rejection shall be sent to the clerk of the court in which the action was filed.

NON-RESIDENCE GROUNDS REQUIREMENT:

If box number 1 is checked, insert the appropriate subsection number:

A court may exercise personal jurisdiction over a person, who acts directly or by an agent, as to a cause of action arising from the person's:

1. Transacting any business in this Commonwealth;
2. Contracting to supply services or things in this Commonwealth;
3. Causing tortious injury by an act or omission in this Commonwealth;
4. Causing tortious injury in this Commonwealth by an act or omission outside this Commonwealth if he regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
5. Causing injury in this Commonwealth to any person by breach of warranty expressly or impliedly made in the sale of goods outside this Commonwealth when he might reasonably have expected such person to use, consume, or be affected by the goods in this Commonwealth, provided that he also regularly does or solicits business, or engages in any other persistent course of conduct, or derives substantial revenue from goods used or consumed or services rendered in this Commonwealth;
6. Having an interest in, using, or possessing real property in this Commonwealth;
7. Contracting to insure any person, property, or risk located within the Commonwealth at the time of contracting; or
8. (ii). Having been ordered to pay spousal support or child support pursuant to an order entered by any court of competent jurisdiction in this Commonwealth having in personam jurisdiction over such person.
9. Having incurred a liability for taxes, fines, penalties, interest, or other charges to any political subdivision of the Commonwealth.

DUE DILIGENCE REQUIREMENT:

If box number 2 is checked, the following provision applies:

When the person to be served is a resident, the signature of an attorney, party or agent of the person seeking service on such affidavit shall constitute a certificate by him that process has been delivered to the sheriff or to a disinterested person as permitted by § 8.01-293 for execution and, if the sheriff or disinterested person was unable to execute such service, that the person seeking service has made a bona fide attempt to determine the actual place of abode or location of the person to be served.